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Notice of Allowability

Application No.

09/935,553

Examiner

Khanh Tran

Applicant(s)

LEE ET AL.

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Request For Continued Examination (RCE) filed on 08/16/2006.
2. ☒ The allowed claim(s) is/are 4-8, 14-17, 23-24 and 30-31, which have been renumbered as set forth in the Office action.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

1. The Request For Continued Examination (RCE) filed on 08/16/2006 has been entered. Claims 4-8, 14-17, 23-24 and 30-31 are pending in this Office action.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Regarding claim 4, in line 9, "a second symbol pattern" has been changed to -- the second orthogonal code --.

Regarding claim 23, in line 2, "UTRAN" has been changed to -- UTRAN (UMTS (Universal Mobile Telecommunication System) Terrestrial Radio Access Network) --; in line 7, "dispread" has been changed to -- despread --.

Regarding claim 30, in line 3, "UTRAN" has been changed to -- UTRAN (UMTS (Universal Mobile Telecommunication System) Terrestrial Radio Access Network) --.

3. Claims have been renumbered as shown below, respectively:

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claims 4-8 renumbered as claims 1-5;
claims 14-17 renumbered as claims 6-9;
claims 23-24 renumbered as claims 10-11; and
claims 30-31 renumbered claims 12-13.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

4. Regarding claim 4, claim is allowable over prior art of record because the cited references cannot teach or suggest a UTRAN transmitter in a mobile communication having at least four antennas comprising components as set forth in the application claim.

5. Regarding claim 14, claim is allowable over prior art of record because the cited references cannot teach or suggest a data transmission method in a UTRAN transmitter for a mobile communication having at least four antennas comprising the steps as set forth in the application claim.

6. Regarding claim 23, claim is allowable over prior art of record because the cited references cannot teach or suggest a UE receiver in a mobile communication wherein the UE receiver receives signals transmitted from a UTRAN transmitter

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supporting a transmit diversity technique having at least four antennas comprising components as set forth in the application claim.

7. Regarding claim 30, claim is allowable over prior art of record because the cited references cannot teach or suggest a data transmission method in a UE receiver for a mobile communication, wherein the UE receiver receives signals transmitted from a UTRAN transmitter supporting a transmit diversity technique having at least four antennas comprising the steps as set forth in the application claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 571-272-3007. The examiner can normally be reached on Monday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Khánh Công Trí am
KHANH TRAN

11/08/2006

Primary Examiner